

**Hoosac Valley Middle School**  
*“Hurricanes”*



*Engaging Everyone Every Day!*

**Student Handbook 2023-2024**

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**MISSION STATEMENT AND STUDENT EXPECTATIONS**

**Our Mission**

The mission of the Hoosac Valley Regional School District is to create a partnership of our schools and communities that develops all students into educated, responsible and productive citizens.

**Our Guiding Principles**

- Perseverance** - Pursuing a goal, trying repeatedly, asking for help.
- Respect** - Appreciating and considering the feelings, wishes, rights, and traditions of (self) and others.
- Integrity** - Doing the right thing even when no one is looking; Being honest and trustworthy.
- Diversity** - Accepting the differences among us gives our community strength.
- Empathy** - Considering others points of view to better understand and contribute to the growth of the relationship.

**Our Philosophy**

The school community will create a learning environment that motivates and actively engages all students in mastering rigorous academic curricula. Our faculty, staff, and administrators are dedicated to a student-centered focus through continuous improvement. Student growth and development are promoted through the following core values and beliefs:

- All students can achieve growth and improve their behavior with guidance, instruction, support, and coaching. These practices fall along a continuum that responds to individuals of all abilities.
- Students need different kinds and amounts of time, attention, tasks, and support to behave responsibly, succeed academically, and achieve at high levels.
- Teaching social and emotional skills is as important as teaching academic content.
- How we teach is as important as what we teach.
- How we work together as adults to create a safe, joyful, and inclusive school environment is as important as our individual contribution or competence.
- Partnering with families—knowing them and valuing their contributions—is as important as knowing the children we teach.

**Our Goals**

- To deliver timely and personalized supports informed by data.
- To increase the number of students performing at the proficient and advanced levels.
- To engage students through technologically integrated teaching strategies.
- To implement a rigorous and relevant curriculum that improves outcomes for all students with a focus on both college and career readiness.

- To engage the community in developing our pathways for college and career readiness from Pre-K through graduation.
- To establish and nurture meaningful relationships with our students, their families, and our community partners.
- To commit at all levels (teacher, building, district) to review and examine policies, procedure, and available data through an equity lens to both break down barriers and to meet the needs of all students.

## PRINCIPAL'S LETTER

Hello Hoosac Valley Middle School Families,

My name is Lisa Lesser. I am excited to be your new principal at HVMS. I am proud to call myself a career educator. I began my career in education working in zoos and nature centers (with a focus in experiential lessons providing students the opportunity to learn from their hands to their thoughts). From there I transitioned into Cambridge Public Schools and was a middle-school science teacher for ten years.

In 2016, my husband and I relocated from the Greater Boston area to the Berkshires. We have called Pittsfield home for the past seven years. In our time in the Berkshires I have worked as the STEM Director for the Flying Cloud Institute providing professional development for teachers across the county. While at Flying Cloud I realized that I missed working in a school directly with students and educators. Prior to joining the Hoosac family I spent two years as the Assistant Principal at Herberg Middle School. In 2021 I joined your community as the Assistant Principal of Teaching and Learning at HVES and was the Interim Principal during Principal Beaulac's maternity leave. I sincerely enjoyed meeting and working with the elementary staff and families for the past two years. I'm excited to be taking on this new venture and am honored to be leading this school. Please feel free to reach out and introduce yourself. My email is [llesser@hoosacvalley.org](mailto:llesser@hoosacvalley.org).

We have some other new faces in the building as well. Below are a few new staff members. In the student handbook you can find a full list of each grade level team.

Stacie Vigiard: Grade 5 ELA/Social Studies

Sue Garcia: Grade 7 Science

Michaela Lapointe: Bridges

Lynanne Brown: Cornerstone

Terry Santoro: Physical Education and Health

### Nurse Information

If your child has any food allergies or a medical condition, please contact the school nurse, Phil Grover, as soon as possible. He may be reached at [pgrover@hoosacvalley.org](mailto:pgrover@hoosacvalley.org) or 413-743-4053.

### School Handbook

Please be on the lookout in the first couple weeks of school for your child's school handbook. It will contain school guidelines, protocols and other essential information.

Please call or stop by the school if we can help with any questions or concerns. We look forward to seeing all of you on September 7th!

## ACADEMICS

### 2023-2024 Academic Calendar

#### Report Cards:

End of 1st marking period	November 17, 2023
End of 2nd marking period	February 2, 2024
End of 3rd marking period	April 14, 2024
End of 4th marking period	Last Day of Classes

#### Progress Reports :

October 6, 2023	December 22, 2023
March 8, 2024	May 31, 2024

Progress reports are sent out half-way through each marking period. Report cards are distributed during the week following the end of each marking period.

#### Quarterly Start and End Dates

Q1	9/7/2023 - 11/17/2023	Q2	11/18/2023 - 2/2/2024
Q3	2/3/2024 - 4/14/2024	Q4	4/15/2024 - (Last day of classes)

The following grading system is used at Hoosac Valley Middle School:

1. The yearly average for each core subject will be the numerical average of the four marking periods. Other Courses, such as Exploratory courses, may only be graded for one Quarter or designated as Pass / Fail.
2. The marking period is approximately nine weeks long.

#### Grading System

The following grading system is used at Hoosac Valley Middle School:

1. Term grades and the final grade shall be recorded as a numerical average unless otherwise specified.
2. The yearly average for each subject will be the numerical average of the four marking periods. The passing grade shall be a mark of 65 or above.
3. The grading procedure will provide for a grade based upon skills and content, formative assessments, and summative assessment.

#### Guidelines for Makeup Work

1. All work missed due to absence during a marking period must be made up before a grade for the marking period can be given.
2. Make-up is allowed for all absences, including suspensions (within the parameters outlined below).
3. Students are given one school day for each day absent to make up work, not to include the day absent. In cases of long-term absences, longer periods for make-up may be granted with administrative approval.
4. A reminder that the school requires written verification of medical and court excuses to be filed in the student's temporary record to avoid having those absences count toward the 20 day maximum allowed to earn credit. (See attendance policy.)
5. Students given a grade of Incomplete (I) on a report card must complete the missing work before the end of the next report card. Incomplete marks may not be recorded for two quarters in a row for the same subject. If a student receives a grade of I for Quarter 4, the student must complete the missing work and/or exam by August first or the

first Monday of August of the upcoming school year. If the work is not completed by this deadline, the student will not receive credit for the class and may need to repeat it.

This policy shall not in any way circumvent regulations set up under chapter 76.

### **Daily Attendance**

Each student will start the day in **Homeroom** and attendance will be taken at 8:20 when **period 1** begins. **Students must be in period 1 at 8:20 to be considered on time for school.** Student attendance will be monitored in each class throughout the day.

### **PowerSchool Online Parent and Student Grade Portal**

Parents and students can access student data, such as grades, daily attendance, and discipline records on-line through the Parent Portal on the Hoosac Valley website (hoosacvalley.org). Instructions for accessing the portal are on the website. Students can receive access codes for their accounts from their school counselor. It is important to note that grades may not always be immediately available for viewing or may not immediately appear in the parent portal. Teachers are given up to two weeks to enter grades.

### **Promotion and Retention Policy**

It is the policy of Hoosac Valley Middle School to consider retention on an individual basis. Each student's potential for success through repeating a grade level will be determined by the principal, teachers, and family. When two of the three parties agree on retention, the student will be recommended to repeat the school year. The principal makes all final recommendations for retention.

## **GENERAL SCHOOL INFORMATION**

### **Cafeteria, Food and Drink**

During the 2023-2024 school year, **all breakfasts and lunches are free.** Each student receives one free breakfast and one free lunch per day. Students, who are in the building, wishing to purchase a second or third lunch can do so at the rate of \$3.00 each.

Students are to remain in the cafeteria during lunch for the entire lunch period. Students are expected to exercise self-control throughout lunch. In addition, no student may purchase food from the cafeteria at any time other than breakfast or his/her scheduled lunch period. The **ONLY** exception to this rule is when a student is sent from the nurse's office with a pass to purchase food. Students using the school cafeteria are expected to:

- a. Form single lines Avoid pushing or any other improper conduct in line or in the cafeteria area. Throwing food is highly offensive behavior and is unacceptable. Students will be required to clean the area and will receive a consequence.
- b. Return trays, dishes and garbage to the buckets and the carts
- c. Breakfast will be served from 8:05-8:20.
- d. Follow directions given by the lunch monitors at all times.
- e. There is no charging allowed.

### **Care of Books and Equipment**

Students are responsible for the care of all books and equipment issued to them by the school. At the beginning of the year, the student's name must be written in ink on the property slip in each book. Every student must fill out and sign a book slip indicating that he/she accepts the responsibility of caring for each book. The teacher carefully records the number of the book and each student must return the book, which is charged, to him/her at the end of the school year. Books must be covered, kept clean of scribbling, and free of unnecessary papers. A student lacking a book for several

days must pay for the book, which he/she lost. The money will be refunded if the book is later found in an acceptable condition.

- One year (new) 100% of the original cost
- Two years 75% of the original cost
- Three years 50% of the original cost

In addition, no senior will be allowed to participate in graduation ceremonies unless all financial obligations, including book fees, have been paid.

## **Emergency Drills**

### Student Protocol

- If an alarm goes off, exit the building with your class and teacher at the nearest exit. Gather with your class in the student or faculty parking lot.
  - If you are located in classrooms 100's, 200's or 300's please meet in the student parking lot.
  - If you are in the 400's, 500's, café, auditorium or PE please meet in the faculty parking lot.
- Once the teacher is located, report for attendance. It is important that you keep quiet, orderly and do not intermingle with other classes.
- Remain with your teacher until an Administrator announces that it is safe to return to the building.

*If your teacher is not within eyesight, please do not attempt to find him/her. Instead report to the Administrator stationed in the parking lot where you are located.*

- *The Administrator will radio the appropriate people to make sure your attendance is recorded and you are safe with staff.*
- *If an alarm sounds between periods, during an assembly or at lunch, exit the building at the nearest exit and report back to your previous classroom teacher.*
- *For example, if the bell rings between 2<sup>nd</sup> and 3<sup>rd</sup> period, exit the building at the nearest exit and locate your 2<sup>nd</sup> period teacher.*

### Additional Information

- Cell phone and electronic device use and accessing vehicles are not permitted.
- Please make sure that you comply with all staff directives. It is important that you remain quiet and calm. Any student who misbehaves during a drill or emergency will be referred to the office for disciplinary action.

## **Field Trips**

Field trips conducted under the auspices of the high school are for educational purposes only. At least 24 hours in advance of any such trip, a student must submit to the teacher in charge, permission from the parent to attend such a trip. Students may attend field trips at the discretion of all their academic teachers. Students are required to make up all work missed during a field trip. Approval of all field trips is at the discretion of the administration. All students will be charged \$2.00 for field trips within Berkshire County and \$5.00 outside of the county to help defray costs for buses. Trips outside of Berkshire County may be required to pay a higher fee.

## **Gymnasium**

Students participating in after school athletic activities are not allowed in the school building beyond the gym area unless supervised by faculty, staff, administration or a coach. After athletic activities, students will leave the building from the gymnasium area.

## **Lockers**

Lockers, which are the property of the school, will be available to the student at the beginning of the year through the home room teachers and Physical Education teachers.

1. Every student is responsible for anything left in his/her locker as well as his/her gym locker.



2. Students are encouraged to lock their lockers.
3. *The school is not responsible for any lost or stolen articles.* Articles of significant value should be brought to the main office and turned over to the principal or assistant principal for safe keeping in the school vault.
4. Lockers may not contain weapons, illegal drugs, stolen property, or materials considered to be a hazard to the school population. The school retains the right to inspect lockers or desks periodically for compliance with school rules.
5. Each student is assigned his/her own locker.
6. Lockers are the property of the school and are subject to random searches. When necessary locks will be removed.

### **Lost and Found**

The lost and found area is located in the Middle School main office. Any personal or school property found in or near the immediate area of the school can be turned into the office. The school is not responsible for lost or stolen articles. Articles will be kept in the Student Support Center for a reasonable time after which they will be discarded.

### **Posters**

Anything hung outside a classroom needs to have an identifier on it so that if it's in question in any way, administration can contact the author. Anything that is unidentifiable and questionable will be removed. Reminder: the state fire code limits how much flammable material can be posted on walls. Personal items may be posted on individual lockers to decorate for a special occasion and will be monitored accordingly. Groups who put up posters are responsible for taking them down.

### **School Closing**

Children and parents will be notified of cancellation of classes because of inclement weather by the school's all call system, by logging on to [http://hv.acrsd.net/pages/Hoosac\\_Valley](http://hv.acrsd.net/pages/Hoosac_Valley) or by using Radio Stations WNAW 1230 - WBRK 1340. Parents are urged not to call the station or the Superintendent of Schools.

### **School Hours/Use of Building**

Middle school hours are 8:05 a.m. to 2:35 p.m. All students, upon completion of their school day, should leave the school building immediately and quietly.

### **Telephone**

Students are to receive a pass from their teacher to go to the office to use the phone. Students will use the office phone at the discretion of the administration.

### **Yearbook**

The yearbook faculty, together with the school administration, reserves the right to edit any content which is deemed to be inappropriate or inconsistent with standards of good taste or the overall character and quality befitting the school's permanent, public record of the students, events, and activities of the school for a particular year.

### **Join!**

There are many ways for you to be involved in your child's education. You are encouraged to join our PTG, School Council and the SEPAC. There are many activities that you will be asked to join throughout the school year. Please join our volunteer list by contacting Principal Lisa Lesser at [Llesser@hoosacvalley](mailto:Llesser@hoosacvalley) or the PTG at [jgageant@hoosacvalley.org](mailto:jgageant@hoosacvalley.org).

## HEALTH SERVICES

The Health Office is to be accessed for illness and health related issues only. Students will not be permitted in the Health Office for study hall or other non-health issues.

### *Illness of Students in School*

Students should request a pass to the Health Office from the classroom teacher. Students who are ill may never leave the building without permission. If the nurse deems it necessary, she will call the parents to take the student home. No student will be sent home without the consent of the parent.

### **Administering Medicines to Students**

Medication may not be administered to students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician (see below for exceptions). When the school nurse is not present, a student who needs medication during the school day should report to the office. No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.

### *Exceptions*

- The school district shall, through the district nurse leader, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors.
- The school district may, in conjunction with the School Physician and the School Nurse Leader, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a school setting.
- If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol, which complies with medical directives and regulations from the Dept. of Public Health.
- Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:
  - Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
  - Students with cystic fibrosis may possess and administer prescription enzyme supplements.
  - Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.

### **First Aid Treatment**

When deemed necessary this may include a trip to the doctor's office or hospital for emergency treatment. When hospital care is required, a parent or guardian must be present. Hospitals require the signature of the parent or the guardian for any treatment other than life saving measures. Resetting a fracture is one of the more frequent examples where a parent's signature is required.

### **Immunizations**

All students must meet the requirements of the Massachusetts Immunization Law. The law now mandates that all students K through 12 are to be immunized for Measles, Mumps, and Rubella regardless of whether they have had the diseases.

Tetanus-Diphtheria boosters are mandatory every 10 years. These can be given at school with parental permission. Notices of students' needs will be sent to parents. Verification of any immunizations received outside of school should be sent to the Health Office for the student's record. All transfer students must present their immunization records within 15 days of registration as demanded by law. Hepatitis B series are also offered through the school system.

### **Physical Examinations**

The state mandates physicals be done in 10th grade - these physicals can be done by your own physician at your own discretion. Notices will be sent home during the school year regarding these physicals. Copies of physicals and/or immunizations completed by your private physician must be sent to the Health Office so that your child's health record

can be updated. New students who have not had a school record forwarded are required to have a physical examination regardless of grade.

Each student who participates in interscholastic sports must have a physical examination before beginning practice for the first sport in which he/she is a participant. Sports physicals are administered in school before fall, winter and spring (however, a physical completed in the spring does not carry over to the fall of the next school year. A new physical will be required) sports. Only one physical is required in the course of a school year regardless of the number of sports the student participates in. These physicals may be completed by your private physician or the school physician. Parents must sign a medical questionnaire before the first scheduled contest

#### Testing

Vision and hearing are checked annually with proper equipment in all grades and notices of failures are sent to parents.

#### **Concussion Policy**

If a student has a concussion, or any injury that impedes the student's academic responsibilities, the student's participation in any extracurricular activities, including athletics, will be limited to the restrictions stated in the physician's note.

### **ATTENDANCE**

#### **Absence Procedure**

1. On the day of absence, the student's parents must call at 413-743-8404 to report the student will not be in school for the day. Later in the morning, parents will receive an automated call confirming that the student is not in school.
2. Any absence besides a documented medical or court appointment counts against the student's 20 allowable absences for course credit. **DOCUMENTED MEDICAL OR COURT APPOINTMENTS ARE THE ONLY ALLOWABLE ABSENCES FOR DCF AND JUVENILE COURT REPORTING PURPOSES, AS PER MA STATE LAW.**
3. Students are reminded that if they are **absent** from school, for any reason other than documented medical or court appointments, they cannot participate in any school events that day, or on Saturday, if absent on a Friday (including athletic practices).

#### **Attendance**

School attendance is compulsory in Massachusetts until the age of sixteen. Regular attendance is the most effective way to promote positive and productive life-long learners. Please make every effort to assist your child in developing good attendance practices. Please schedule medical and other appointments before or after school hours if possible. **If your child will not be in school on a particular day, please call the office between 7:00 and 8:30 A.M. to report his/her absence.** Simply press the extension for absences and report your child's name and the reason for their absence. The phone system will prompt the "absentee" line. This phone call is very important so that we don't worry about where your child is on that particular day. This procedure is to ensure the safety of the children. If a parent or guardian does not call the school will contact them at home or at work.

Massachusetts State Law states that a student under 16 years of age may not be absent more than seven (7) unexcused day sessions in a six (6) month time period. Parents/guardians are required under the law to ensure regular school attendance of their children and are subject to a fine for failure to comply with the law.

Students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.

2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. For observance of major religious holidays.
5. Other exceptional reasons with approval of the school administrator

### **Excessive Absenteeism/ Tardiness**

Chronic absences and tardiness, whether excused or unexcused, are disruptive to the educational process. The following procedures are in place to address excessive absences at the elementary level. Excessive tardiness will be responded to in a similar way.

- 3 **consecutive unexcused** days absent: Contact from the teacher to help resolve the issue.
- 4 **unexcused** days absent: 1st attendance letter is mailed home from the Attendance Team.
- 8 **unexcused** days absent: 2nd attendance letter from the Attendance Team requesting parent/guardian meeting with the classroom teacher and the principal. This letter will include information about the possibility of a Failure to Send petition through Juvenile Court and/or a 51A through the Department of Children and Families. .
- 12 **unexcused** days absent: 3rd attendance letter from the Attendance Team to parents/guardian informing parent/guardian that a Failure to Send petition through Juvenile Court and/or a 51A through the Department of Children and Families WILL be filed.

*\*Communication between the parent/guardian and the school (teacher, office staff, nurse or administrator) is vital in your child's success. Please reach out to us with any information regarding your child's attendance.*

### **Early Dismissal**

A student who wishes to be dismissed is encouraged to report to the office as soon as possible to sign and receive an early dismissal slip. Students will be allowed to report to the office during homeroom for dismissal slips but should not be released from class for dismissal slips. All dismissal requests must come in written/signed form from parents. All dismissal notifications need to be in written form, signed by the parents or guardian.

**Students who are dismissed at any point prior to the end of the school day for any reason other than documented medical or court appointments, will not be allowed to participate in any after school functions that day or on the weekend for Friday dismissals.**

### **Extended Absences – Planned**

Some families may choose to remove their son or daughter from school for trips or activities while school is in session. When this happens it is incumbent upon the student and parent/guardian to notify (in writing) the Dean of Students and the student's teachers in advance of such a trip. Work should be gathered and completed prior to returning to classes. All elements of the school's attendance policy remain in effect, including DCF and juvenile court reporting policies.

### **Tardiness**

All students are to report to the office to sign in and receive a tardy slip if they are not **in their PERIOD 1 by 8:20 a.m.** All tardies are unexcused unless they are due to a medical or court appointment and are accompanied by written/signed verification. If transportation provided by the school arrives late to school, students will not be marked tardy. If, however, a parent or guardian decides to drive a student to school and the student is late, he/she will be marked tardy.

## Student Expectations

### Assembly Programs

Students are expected to use common courtesy toward any person or group presenting a program. Students may be assigned to general seating areas for assemblies. Assemblies may take place in the auditorium, gymnasium or cafeteria, depending on the program. Students who misbehave or show disrespectful behavior during assemblies are subject to removal from the assembly, detentions, and/or suspensions, depending on the severity of the behavior. No food or drinks are allowed in the auditorium.

### Behavior in the Halls

During the passing of classes, students should proceed immediately to the next class in an orderly manner. The passing time does not allow for any loitering or congregating in the halls. Students are requested to keep to the right in the halls and to keep moving. No running in the building.

### Smart Pass (Hall Passes) and Transitions

Students are encouraged to avoid leaving class for any reason. If a student must leave the room during class, he/she needs to have the classroom pass. Failure or refusal to create an official pass will result in disciplinary action. Students will be required to sign in and out of classes. Class logs may be collected and reviewed by the Administration. Students who repeatedly leave classes during instruction will be questioned and counseled.

Students are expected to behave courteously and respectfully in the halls, move appropriately in the direction of their next class, and minimize public displays of affection. Students who do not follow these social expectations may be disciplined accordingly.

### Cafeteria & Recess Behavior

Students are expected to adhere to all school rules. Recess is held outside, except in cases of severe inclement weather. Children should dress appropriately for the weather conditions. We schedule recess periods in conjunction with the lunch period. We go outside at 20 degrees or above.

## ANTI-BULLYING

The Hoosac Valley Regional School District is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. Acts of bullying, including cyber-bullying and retaliation are prohibited. If you feel that your child is being bullied please contact the school and fill out the bullying report that is available on the HVRSD website.

### Harassment Guidelines

The District prohibits all forms of general harassment which are defined as hate crimes, harassment and discrimination based on age, race, color, religion, national origin, ethnicity, sexual orientation, gender identity, or disability. The reporting and investigation of general harassment shall follow the guidelines for sexual harassment, the rules of conduct and discipline, including detention; internal suspension and external suspension shall apply where discipline is warranted.

### Definitions and Bullying Prohibition:

“Bullying” is the repeated use by one or more students or school staff members of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target student that:

- causes physical or emotional harm to the target or damage to the target’s property;
- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;

- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school

**"Cyber-bullying"** means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber- bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber- bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

**"Retaliation"** means any form of intimidation, reprisal or harassment directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying.

**"School Staff"** means all Hoosac Valley Regional School district staff members including, but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and or paraprofessionals.

For the purpose of this section, whenever the term bullying is used it is to denote either bullying, cyber-bullying and/or retaliation. When bullying is alleged, the full cooperation and assistance of parents and families are expected.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Hoosac Valley Regional School District

Bullying is prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Hoosac Valley Regional School District if the act or acts in question:

- create a hostile environment at school for the student target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

### **Prevention and Intervention Plan**

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of the district's policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially and must:

1. Include descriptions of and statements prohibiting bullying, cyber-bullying and retaliation,
2. Establish clear procedures for students and staff to report bullying or retaliation,
3. Include a provision that reports of bullying or retaliation may be made anonymously, provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report,
4. Establish clear procedures for promptly responding to and investigating reports of bullying or retaliation,
5. Identify the range of disciplinary actions that may be taken against the perpetrator for bullying or retaliation,
6. Establish clear procedures for restoring a sense of safety for a victim and assessing that person's needs for protection,
7. Establish strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation or is witness to or has reliable information about an act of bullying,
8. Establish procedures for promptly notifying the parents or guardians of a victim and a perpetrator, for notifying the parents or guardians of a victim of the action taken to prevent any further acts of bullying, and for notifying local law enforcement officials where criminal charges may be pursued against the perpetrator,
9. Include a provision that a person knowingly makes a false accusation of bullying shall be subject to disciplinary action, and
10. Include a strategy for providing counseling in-house or referral to appropriate services for perpetrators and victims and for appropriate family members of students.

The Hoosac Valley Regional School District has developed administrative guidelines and procedures for implementation of this Bullying Prevention Plan, including:

- A student complaint process,
- A reporting process for staff,
- An investigation process,
- A process for communication with parents/guardians,
- Record keeping and reporting, and
- Annual report of bullying incidents to the School Committee

The Superintendent will publish disciplinary policies in Student Handbooks, which shall prohibit bullying and shall include reference to this Bullying Prevention and Intervention Plan required by Chapter 71 Section 37 of the Laws of the Commonwealth. Student Handbooks shall include age-appropriate summaries of the student-related sections of the district's Bullying Prevention and Intervention Plan and available in language which are most prevalent among school community members.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan and procedures within his or her school.

### **Reporting**

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the School Staff. The student target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

### **Investigation Procedures**

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying /Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school Principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified

The investigation shall be completed within a reasonable time frame. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.



Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies and the district's bullying prevention and intervention plan. The district's disciplinary action shall balance the need for accountability with the need to teach appropriate behavior.

Each school shall document any incident of bullying that is reported per the district's policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

### **Retaliation**

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying, shall be prohibited.

### **Target Assistance**

The Hoosac Valley Regional School District shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

### **Training and Assessment**

Annual training shall be provided for school staff with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

### **Publication and Notice**

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Hoosac Valley Regional School District website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR [26.00](#)

+ m.G.L. [71:37O](#); [265:43](#), [43A](#); [268:13B](#); [269:14A](#)

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

## DISCIPLINE

### Student Discipline

While the infractions and consequences outlined are meant to provide clear expectations for behavior, each disciplinary incident involves unique elements. Therefore, situations may be handled differently by the administration because of contributing factors.

For disciplinary actions that are deemed less severe in nature, a warning and/or parent notification may occur before first offense consequences are implemented. For those of a more serious nature, parent meetings may be required.

*List of Possible Consequences (additional/other/different consequences may be assigned at any time as determined by school administration)*

**Conferences** are a formal warning where the school administration will clarify the behavior expectation and outline potential consequences for future infractions. These conferences are documented in a student's disciplinary record. Parents/guardians may participate in the conference or be contacted by the school administration to be informed of the purpose of the conversation.

### Teacher Detention

As a first step, any behavior deemed improper by a teacher (minor infractions) such as: insubordination, tardiness, verbal abuse, lack of respect, lack of cooperation, lack of following teacher direction, etc. follows the procedure below.

1. To be served after school with the teacher in a room designated by that teacher, scheduled at the teacher's convenience, and the teacher determines the length.
2. **If a student is assigned a teacher detention and an office detention on the same day, the teacher detention takes priority.** The office will reassign the office detention(s) for the next school day.
3. Students cannot be kept later than the late bus.
4. If a student fails to report for a teacher detention, the teacher **MUST** refer the matter to the Dean of Students, who, as a consequence, will assign two office detentions. This is designed to deter students from skipping teacher detentions.

**Office Detentions** are formally recorded in a student's disciplinary record and result from a failure to report to a teacher detention or if he or she commits an infraction deemed by the administration to be serious in nature. After being assigned three office detentions, a student will face more severe consequences for poor behavior such as in-school suspension.

**Exclusion from Extracurricular Activities and School-Sponsored Events** is assigned by the principal or designee based on the student's misconduct. Such a removal is not subject to M.G.L. c. 71, § 37H 3/4 or 603 CMR 53.00.

**Out-of-School Suspension** is assigned when a student has committed a serious disciplinary offense or when other consequences have proven ineffective at modifying behavior. Students who are suspended out-of-school may not attend school events and are prohibited from being on school grounds unless they have prior permission from school administration.

*Severe disciplinary infractions such as drug or alcohol possession, weapon possession, bullying, fighting/assault, and threats directed at faculty/staff may result in a long-term out-of-school suspension/possible exclusion hearing.*

**Due Process for Certain Disciplinary Consequences:**

## **I. In-School Suspension**

The principal or designee may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The principal or designee will inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charge or explain the circumstances. If the principal determines that the student committed the disciplinary offense, the principal will inform the student of the length of the student's in-school suspension, which is not to exceed 10 days, cumulatively or consecutively, in a school year.

The principal or designee will notify the caregiver orally on the day of the in-school suspension decision. The principal will also invite the caregiver to a meeting to discuss the student's academic performance and behavior as well as strategies for student engagement and responses to the behavior. The meeting will be scheduled on the day of the suspension if possible, and if not, soon thereafter.

The principal will send written notice on the day of the in-school suspension to the student and caregiver about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the caregiver to a meeting with the principal, if a meeting has not already occurred.

### **In School Suspension - Procedures**

1. A student assigned to ISS will report to the main office by 8:15 a.m. (Unless otherwise instructed.)
2. The student's assignments for the day will be collected.  
The students will be given credit for all completed assignments returned to their respective teachers by the end of the assigned day.
3. Lunch will be consumed in the ISS room.
4. Students assigned to the In School Suspension will not have their absences from classes counted toward the allowable 20 per class maximum to maintain credit.
5. Students assigned to the ISS room will not be allowed to participate in school events the day of the ISS assignment. This includes assemblies and meetings, field trips, after-school practices, rehearsals, games, concerts, etc.
6. School Administration may postpone the assignment of an ISS session; students, however, will not be allowed to reschedule an ISS session.

## **II. Short Term Suspension (<10 days)**

Prior to a short-term suspension, a hearing will be conducted with the principal or designee. The purpose of this hearing is to hear and consider information regarding the alleged incident, provide the student an opportunity to dispute the charges, explain the circumstances surrounding the alleged incident and present mitigating information, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. caregivers are permitted to participate in the hearing.

The principal shall notify the student and caregiver in writing of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal.

The principal shall notify the Superintendent of the written determination, explaining the reasons for imposing an out-of-school suspension for a student in preschool or in grades K through 3, before the short-term suspension takes effect.

### **Notice of Suspension and Hearing**

Except for emergencies provided in 603 CMR 53.07 and in-school suspension authorized by 53.10, a principal will not impose a suspension as a consequence for a disciplinary offense without first providing the student and the caregiver oral and written notice, along with an opportunity for a hearing on the charge and an opportunity for the caregiver to participate in the hearing.

The principal will provide oral and written notice to the student and the caregiver in English and in the primary language of the home if other than English. The notice will include:

1. The disciplinary offense;
2. The basis for the charge;
3. The potential consequences, including the potential length of the student's suspension;
4. The opportunity for the student to have a hearing with the principal concerning the proposed suspension, and for the caregiver to attend the hearing;
5. The date, time, and location of the hearing;
6. The right to an interpreter, if needed;
7. If the student may be placed on long-term suspension following the hearing:
  1. the rights set forth in 603 CMR 53.08 (3)(b); and
  2. the right to appeal the principal's decision to the superintendent.

In all cases, once a student has been assigned to suspension, he/she will not be allowed to take part in or attend any school-related function or activity. This remains in effect until the student has officially returned to school from suspension. Suspension days will be counted as excused absences. Students who are suspended will be given the number of days they are out to make up their work.

### **III. Long Term Suspension (>10 days)**

The purpose of the hearing is the same as the purpose of a short-term suspension hearing. At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student will have the following rights:

1. Prior to the hearing, the opportunity to review the student's record and the documents on which the principal may rely in making a determination;
2. To be represented by counsel or a lay person at their own expense;
3. To produce witnesses and to present the student's explanation of the incident, but the student may not be compelled to do so;
4. To cross-examine witnesses presented by the school district;

5. To request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. The principal will advise all parties if an audio recording is requested.

The principal will send the written determination to the student and caregiver. If the principal decides to impose a long-term suspension, the written determination will:

1. Identify the disciplinary offense, the date of the hearing, and the participants at the hearing;
2. Record the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Notify the student of their opportunity to receive services to make academic progress during the suspension;
5. Inform the student of the right to appeal the principal's decision to the superintendent. Notice will include the following information:
  1. the appeals process requires the student or caregiver to file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension subject to an extension of the filing, upon agreement with the superintendent, for up to seven (7) calendar days;
  2. The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

#### **IV. Superintendent's Hearing for Long-Term Suspension**

A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the suspension to the superintendent. The student or caregiver must file a notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension subject to an extension of the filing, upon agreement with the superintendent, for up to seven (7) calendar days. If the appeal is not timely filed, the superintendent may deny the appeal or allow it to go forward.

Hearings by the superintendent will occur within three (3) school days of the request, unless the student or caregiver requests an extension of up to seven (7) additional calendar days. The superintendent will make a good faith effort to include the caregiver in the hearing and will send written notice to the caregiver of the date, time, and location of the hearing.

The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense, and if so, the appropriate consequence. The superintendent will advise all parties that a hearing will be audio recorded and a copy will be provided to the student or caregiver upon request. The student will have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

The superintendent will issue a written decision within five (5) calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but will not impose a suspension greater than that imposed by the principal. The decision of the superintendent is the final decision.

## **V. Emergency Removal**

A student may be temporarily removed from school when the student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal will immediately notify the superintendent in writing and describe the danger presented by the student. The temporary removal will not exceed two (2) school days following the day of the emergency removal. During the emergency removal period, the principal will:

1. Make immediate efforts to orally notify the student and the student's caregiver of the emergency removal, the reason for the removal, and other matters set forth in 603 CMR 53.06(2);
2. Provide written notice to the student and caregiver;
3. Provide the student an opportunity for a hearing with the principal, and the caregiver an opportunity to attend the hearing, before the expiration of the two (2) school days, unless the principal, student, and caregiver otherwise agree to an extension of time;
4. Render a decision orally on the date of the hearing and in writing no later than the following school day. A principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

## **VI. Student Expulsion (Disciplinary Offenses Under M.G.L. 71 §§37H)**

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
2. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
3. Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, using discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
4. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of their appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
5. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new

district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.

6. Districts shall report to the Department of Elementary and Secondary Education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The Department of Elementary and Secondary Education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the Department of Elementary and Secondary Education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine-readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.
7. Under the regulations promulgated by the Department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

## **VII. Disciplinary Offenses Under M.G.L., Chapter 71, §§37H1/2**

1. Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.
2. The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of their request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's caregiver or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on their behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the suspension.

## Tiered Discipline Matrix for Behavior

### Tier 1

\*Tier I offenses include student behavior which impedes orderly classroom procedures or interferes with the orderly operation of the school. An adult or staff member in the classroom manages these behaviors.

<b>Actions (Not Limited to)</b>	<b>Behavior</b>	<b>Management</b>	<b>Possible Interventions/ Consequences</b>
<ol style="list-style-type: none"> <li>1. Not following classroom/ school expectations</li> <li>2. Violations of the dress code</li> <li>3. Tardy (1st and 2nd offense Tier 1; 3rd offense generates an administration referral as Tier 2 behavior)</li> <li>4. Cell Phone Usage</li> <li>5. General derogatory comments</li> <li>6. General profanity and gestures</li> <li>7. Inappropriate drug/alcohol references (language, joking, talking, drawings, etc.)</li> <li>8. Failure to identify self when asked</li> <li>9. Loitering on school property</li> <li>10. Plagiarism/ Academic Dishonesty</li> </ol>	<ol style="list-style-type: none"> <li>1. Refusal</li> <li>2. Refusal</li> <li>3. Refusal</li> <li>4. Refusal</li> <li>5. Disruption</li> <li>6. Disruption</li> <li>7. Disruption</li> <li>8. Refusal</li> <li>9. Refusal</li> </ol>	<ul style="list-style-type: none"> <li>● Tier 1 student behaviors are managed in the classrooms.</li> <li>● The staff member maintains a proper, accurate record of the offenses and disciplinary actions.</li> </ul>	<ul style="list-style-type: none"> <li>● Verbal redirection</li> <li>● Alternative assignment</li> <li>● Withdrawal of classroom privileges</li> <li>● Conference with student privately (during class if appropriate, after class, after school, during lunch or recess, etc.)</li> <li>● Teacher detention</li> <li>● Parent contact</li> <li>● Referral to school counselor</li> <li>● Referral to BBT</li> </ul>

### Tier 2

\*\*Tier 2 offenses include student behaviors of such frequency or seriousness that the learning climate of the classroom is disrupted. These infractions, which usually result from the continuation of Tier I behaviors, require the intervention of personnel on the administrative level because the application of Tier I consequences/interventions has failed to correct the situation. Also included in this level are behaviors, which do not represent a direct threat to the health and safety of others, but the educational consequences are serious enough to require corrective action on the part of administrative team.



<b>Actions (Not Limited to)</b>	<b>Behavior</b>	<b>Management</b>	<b>Possible Interventions/ Consequences</b>
<ol style="list-style-type: none"> <li>1. Continuation/ escalation of Tier 1 behavior that impacts instruction</li> <li>2. Derogatory comments that are directed towards another individual</li> <li>3. Profanity or gesture directed towards another individual</li> <li>4. Cutting class/ detentions</li> <li>5. Leaving an assigned area without permission or being in an unassigned area of the building</li> <li>6. Technology Use Violation</li> <li>7. Bus Conduct</li> <li>8. Truancy/falsely calling in or forging notes</li> <li>9. Vandalism</li> </ol>	<ol style="list-style-type: none"> <li>1. Refusal</li> <li>2. Disrespect</li> <li>3. Disrespect</li> <li>4. Refusal</li> <li>5. Safety</li> <li>6. Safety</li> <li>7. Safety</li> <li>8. Safety</li> <li>9. Refusal</li> </ol>	<ul style="list-style-type: none"> <li>● Staff member completes referral form</li> <li>● Administrator meets with student/ teacher and affects the most appropriate response</li> <li>● Administrator completes log in MMS documenting offense</li> <li>● Administrator informs student, parent/guardian, and teacher of action taken</li> </ul>	<ul style="list-style-type: none"> <li>● Parent contact by teacher</li> <li>● Administrative detention</li> <li>● ALC (in school suspension)</li> <li>● Bus Suspension</li> <li>● Referral to School Adjustment Counselor</li> <li>● Restorations/ restitutions made by student</li> <li>● Parent conference</li> <li>● Referral to BBT</li> <li>● Referral to outside agency</li> <li>● Behavior Contract</li> <li>● Referral to law enforcement</li> <li>● Loss of computer/technology privileges</li> <li>● Student removed from class (only for behavior that severely impacts instruction)</li> </ul>

**Tier 3**

\*\*\*Tier 3 offenses are student acts that are directed against persons or acts that warrant immediate intervention. These acts may require assistance from outside agencies including law enforcement. All Tier 3 behaviors/actions require staff to immediately contact the House Office to report the incident.

<b>Actions (Not Limited to)</b>	<b>Behavior</b>	<b>Management</b>	<b>Possible Interventions/ Consequences</b>
<ol style="list-style-type: none"> <li>1. Continuation/ Repetition/ Escalation of Tier 2 behaviors that warrants immediate intervention</li> <li>2. Smoking, chewing,</li> </ol>	<ol style="list-style-type: none"> <li>1. Refusal</li> </ol>	<p>Staff member completes referral form documenting the incident:</p> <p>*Administrator initiates consequences by</p>	<ul style="list-style-type: none"> <li>● Temporary removal from class</li> <li>● Office detention</li> <li>● ALC</li> <li>● OSS</li> <li>● Bus suspension</li> <li>● Referral to School</li> </ul>

possession of tobacco products, including other nicotine delivery products	2. Safety	investigating the infraction and conferring with student(s) and/or staff regarding the situation *If contraband is involved it will be confiscated and disposed of *Administrator maintains a proper and accurate record of action in MMS *Administrator meets with the student to discuss misconduct and resulting consequences/interventions *Administrator notifies parent and teacher of the action taken *Re-entry plan is developed	Adjustment Counselor ● Restoration/restitution made by student ● Behavior Contract ● Referral to outside agency ● Referral to BBT ● Law enforcement officials are contacted ● Re-entry Meeting ● Suspension from co-curricular activities ● Loss of school privileges, including but not limited to: Loss of technology Loss of school functions  ● Expulsion
3. Possession of incendiary devices (lighter, matches)	3. Safety		
4. Leaving building without permission	4. Safety		
5. Fighting	5. Safety		
6. Pulling a false fire alarm	6. Safety		
7. Possession of a dangerous instrument	7. Safety		
8. Bullying, cyber-bullying, harassment, threats, hazing, intimidation, taunting, sexual harassment	8. Safety		
9. Assault	9. Safety		
10. Possession of a weapon (including toy weapons)	10. Safety		
11. Threats to the safety of the school	11. Safety		
12. Protected Class:	12. Safety		

**Disciplinary Consequences are subject to but not limited to the matrix.** (Please refer to Discipline Matrix). The MINIMUM may be exceeded due to facts/structure.

**Certain incidents may require us to notify authorities (for example, incidents related to weapons, drugs, assaults, etc.)**

\*\* The following protocol will be used in determining court filings:

- The severity or dangerousness of the offense
- Chronic violations (2nd offense, 3rd offense, etc.)
- Prior court involvement (and/or students already on probation or following court-ordered conditions)
- Premeditated instances (intentional, deliberate, calculated offenses pre-planned and announced ahead of the act)
- Administrators will use discretion and make official decisions about court filing, using reason and judgment to choose from among acceptable alternatives, if any

FAMILIES WILL BE NOTIFIED OF THE SCHOOL'S INTENT TO FILE BOTH VERBALLY AND IN WRITING. NOTICE OF INTENT IS ALSO EXPLAINED IN SUSPENSION NOTICES THAT ARE MAILED HOME TO FAMILIES.

**Alcohol, Tobacco and Drug Use by Students- Prohibited**

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function; this includes the use or possession of paraphernalia (pipes, lighters, wrapping papers etc.).

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action. This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

Teachers will report violations of this policy immediately to administration. Student violations of this policy shall be subject to the following progressive discipline measures:

**First Offense** —Up to one-day internal suspension during which the student will complete an assignment to study the effects of smoking, written notification to parents.

**Second Offense** —Up to two-day internal suspension, parental conference with Dean of Students required

**Third Offense** (and all subsequent offenses) — Up to five-day internal or external suspension and/or referred to an outside agency. Parental conference with Principal required before re-admission.

A smoking offense at H.V.M.S. entails the possession or use of tobacco or tobacco products on school grounds, during school-sponsored events, on school-sponsored transportation, at bus stops, and in school buildings.

The use of tobacco/nicotine products includes:

- Actually using, smoking, chewing, etc. a tobacco product
- E-Cigarettes/Vapes/Juul
- Nicotine patches, nicotine gum
- Holding a lit cigarette, cigar or chewing tobacco for themselves or "somebody else".
- Smoke rising from a stall.
- Lit cigarette on ground in vicinity of student.
- Smoke coming out of mouth.
- Based on reasonable suspicion that a student has been smoking, a search for smoking related contraband may occur. If smoking contraband is found, the student will be considered "smoking" for disciplinary purposes.

Tobacco products, lighters, matches, vaporizers, juuls and e-juices are all contraband. Possession of any of these products is a violation of the H.V.M.S. policy.

### **Alcohol, Tobacco, and Drug Education**

In accordance with state and federal law the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12. At the middle and high school levels this is delivered in health/physical education classes all as part of our comprehensive health and wellness curriculum.

### **Search and Seizure**

Students have a reasonable right of privacy; however, school officials have the right to search a student and/or his/her belongings if they have reasonable suspicion to believe that a school rule or law has been violated. These searches include, but are not limited to: a student's person, clothing, bag, locker, car, or other objects in their possession that the administration deemed necessary to search, based on the suspicion. School retains joint custody of desks and lockers; these can be searched at any time without probable cause or reasonable suspicion. School computers and other technology can be searched at any time without knowledge or warning. There is an agreement between the school and local police that allows the school to contact them about material from a search and that material obtained in a school search will be turned over to the police.

*Please note that all Search and Seizure policies are in effect at all school-sponsored events, including dances and athletic events whether on or off-campus. Parents/guardians will be notified.*

### Appeal Process

Rules and regulations concerning major discipline infractions in relation to all chemical abuse violations including athletic and extracurricular programs are as follows:

1. All rules are published in the student manual. All Advisors and Coaches will make this known to their respective groups prior to each school year season. (Consent form.) Students are expected to accept their responsibility to the school, teacher or club. In all cases under this section, the student has the right to appeal the case to the board of appeals. **The appeal is to be made on the infraction only, not the punishment.** The procedure will be as follows:
2. Within three school days of suspension, the Advisor, Administration or Coach of the circumstances with regard to the incident and the appeal process, will notify the parents of the student involved.
3. To appeal, the parent must contact the school Principal, in writing, within 10 school days.

## **CONDUCT ON BUSES**

It shall be the policy of the district to transport students to and from school if the distance and/or safety of the child, in the opinion of the Superintendent of Schools, requires it. This transportation privilege is made available subject to the following rules:

- A. General Rules on Buses** - All pupils must behave appropriately as passengers of a school bus. Clearly understood and well-enforced rules are necessary for the successful management of pupils who ride school buses.
1. Pupils transported in a school bus are under the authority of, and directly responsible to the driver of the bus.
  2. Disorderly conduct or refusal to submit to the authority of the driver is sufficient reason for a pupil to be denied transportation on a school bus.
  3. The driver of any school bus is responsible for the orderly conduct of the pupils transported.
  4. No bus driver can require any pupil to leave the bus before such pupil has reached his destination.
  5. Drivers do have the authority to assign students to specific seats.
  6. No school bus can stop to leave or discharge pupils except at spots regularly designated by the school committee.
  7. No pupil can engage in unnecessary conversation with the driver while the bus is in motion.
  8. No intoxicating liquor, drugs, vaporizers, tobacco, tobacco products, paraphernalia of such, etc. can be transported at any time in a school bus.
  9. No animals can be transported on a school bus.
  10. No loaded weapons of any sort, except side arms carried by authorized police officers, can be transported on a school bus.
  11. No person should be allowed to occupy a position in a school bus that interferes with the vision of the driver to the front, to either side of him, or through the mirror to the rear, or with the operation of the bus.
  12. Nothing can be thrown within the bus or out of the windows.
  13. Pupils who are to leave the bus last can use seats in the rear of the bus.
  14. Students who disembark from the bus in the afternoon prior to arriving at morning pick-up point will not be allowed back on the bus again that day
- B. Waiting for the Bus** - The student shall:
1. Be on time for the bus but should not arrive at the stop earlier than ten minutes before the time the bus usually arrives.
  2. Not allow younger children who are not yet attending school to accompany him/her to the bus stop.
  3. No intoxicating liquor, drugs, vaporizers, tobacco, tobacco products, paraphernalia of such, etc. at bus stops at any time.
  4. Observe all safety precautions while waiting for the bus:
    - Do not play in the roads.
    - If possible, avoid crossing streets.
    - Whenever you must cross a street, do so only if you are sure that no moving vehicles are approaching from either direction.
    - Do not push, pull, or chase any other pupil.
    - Avoid trespassing on private property and being noisy.

5. As the bus approaches, line up at least six feet off the highway, and do not approach the bus until it has stopped and the driver has opened the door. Again, avoid pushing others in line.

**C. *Loading the Bus*** - The student shall:

1. Get on the bus and be seated at once.
2. Listen carefully and obey any directions issued by the driver.

**D. *Riding the Bus*** - The student shall:

1. Not eat food on the bus.
2. Not throw anything on the bus.
3. Avoid extending arms or any other parts of the body out the windows.
4. Not change seats while the bus is moving.
5. Avoid shouting and other excessive noise that may distract the driver.
6. Help keep the bus clean and sanitary.
7. Be courteous to other pupils.
8. Listen carefully and obey any direction issued by the driver.
9. Upon boarding the bus in the morning, remain on the bus until arrival at school.
10. Not smoke or light matches on the bus

**E. *Unloading the Bus*** - The student shall:

1. Not leave the seat until the bus has come to a complete stop and the driver has opened the door.
2. Obey any directions issued by the driver.
3. Leave the bus quickly but in a courteous manner without pushing other pupils.
4. If he/she must cross a street in leaving the school bus, be sure to walk in front of the bus (never in back) at a distance of at least 12 feet away from the bus. Again, be sure to observe all safety precautions as you travel from the bus stop to the home or school.

**F. *Procedure for Disciplinary Action***

If any student violates the rules identified above, the driver is to report the violation on the appropriate forms to the principal of the student's building. Administration will then meet with the student in question, discuss the event, and assign the appropriate disciplinary action: warning, office detention, one day bus suspension for morning and afternoon, three day suspension for morning and afternoon, and/or loss of bus privileges.

## **DRESS CODE**

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians. They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the requirements set forth.

- Obscene, vulgar, racist, sexist or other offensive pictures, words, or slogans (ex: illegal substances) are prohibited.
- Shoes/sandals must be worn at all times.
- Flip flops are not sandals and cannot be worn at the elementary school level.
- Undergarments should not be visible.
- Any other dress that distracts, disrupts, intimidates or provokes can be deemed inappropriate by the principal or designee.

## **ELECTRONIC DEVICE POLICY**

**Devices are not to be used during the instructional day**

- Prior to the beginning of the start of the day cell phones and earbuds are put away and off by 8:05.
- Cell phones/earbuds can be used again after the end of the day at 2:35 pm.

### **Additionally, devices are not to be used**

- During emergency situations
- During office detention or ISS
- In locker rooms or restrooms

### **Offenses will be handled as follows:**

- First offense: device brought to main office for parent pick up\*
- Second offense: device brought to main office for parent pick up, detention issued to student\*
- Third offense: device brought to main office for parent pick up, two detentions issued to student, parent meeting with administration\*
- Fourth offense: one-day suspension, device brought to main office for parent pick up, parent meeting upon student's return, conduct plan created\*
- Any subsequent offenses can result in suspension of longer duration.

\*Specific incidents may merit consequences greater than the minimum listed.

**Taking pictures or recording faculty, staff, or students is strictly prohibited. See the technology policy.**

***Students bring electronic equipment to school at their own risk, and they are encouraged to keep all such equipment in a secure place. No liability will be accepted by HVMS in the event of the loss, theft, or damage to any device.***

## **INTERNET USE POLICY**

Internet access is available to students and teachers in The Hoosac Valley Regional School District. We are very pleased to have Internet access, as we believe it offers valuable, diverse, and unique resources to both students and teachers. Our goal in providing this service is to promote educational excellence in the district by facilitating resource sharing, innovation, and communication.

Access to the Internet will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with users throughout the globe. In addition, the system will be used to increase school and District communication, enhance productivity, and assist employees in upgrading their skills through greater exchange of information with their peers. The system will also assist us in sharing information with the local community, including parents, social service agencies, government agencies and businesses.

With access to computers and people from around the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. Families should be warned that some material obtained via the Net may contain items that are illegal, defamatory, inaccurate, or potentially offensive. We have taken precautions to restrict access to controversial materials. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information, either by accident or deliberately. We firmly believe, however, that the benefits to students from online access far outweigh the possibility that users may procure material that is not consistent with our educational goals. The purpose of this policy is to ensure that use of Internet resources is consistent with our stated mission, goals, and objectives. The smooth operation of the network relies upon the proper conduct of the students and faculty who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. If a user violates any of these provisions, his or her account will be terminated and future access could be denied in accordance with the rules and regulations discussed with each user during Internet training sessions.

### Internet – Terms and Conditions

1. Students are responsible for good behavior on school computer networks, just as they are in a classroom, or a school hallway. General school rules for behavior and communications apply.
2. The network is provided for students to conduct research and communicate with others. Access to network services is given to students who agree to act in a considerate and responsible manner. Access is a privilege – not a right. That

access entails responsibility. Inappropriate use will result in a suspension or cancellation of Internet privileges. The system administrators will deem what is inappropriate use and their decision is final. Also, the administrators may close an account at any time as required. The administration, faculty and staff may request the system administrator to deny, revoke, or suspend specific user accounts.

3. Users are expected to abide by their generally accepted rules of network etiquette and conduct themselves in a responsible, ethical, and polite manner while online.
4. Users are not permitted to use the computing resources for commercial purposes, product advertising, political lobbying, or political campaigning.
5. Users are not permitted to transmit, receive, submit, or publish any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, offensive or illegal material.
6. Physical or electronic tampering with computer resources is not permitted. Damaging computers, computer systems, or computer networks intentionally will result in cancellation of privileges.
7. Users must respect all copyright laws that protect software owners, artists and writers. Plagiarism in any form will not be tolerated.
8. Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem in the school's computers, network, or Internet connection, you must notify a system administrator. Do not demonstrate the problem to others.
9. Using someone else's password or trespassing in another's folders, work, or files without written permission is prohibited. Attempts to logon to the Internet as anyone but yourself may result in cancellations of user privileges and discipline consequences.
10. The Hoosac Valley Regional School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. We assume no responsibility or liability for any phone charges, line costs or usage fees, nor for any damages a user may suffer. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. We specifically deny any responsibility for the accuracy or quality of information obtained through its services.
11. All communication and information accessible via the computer resources shall be regarded as private property. However, people who operate the system may review files and messages to maintain system integrity and ensure that users are using the system responsibly. Messages relating to or in support of illegal activities may be reported to the authorities.
12. Playing games on school computers may result in disciplinary measures, such as loss of computer privileges, detention, etc. Any violations may result in a loss of computer access, as well as other disciplinary or legal action. Users are considered subject to all local, state, and federal laws.

## STUDENT ACTIVITIES

### **Activities, Clubs and Organizations**

The following activities, clubs, and school organizations allow students to extend their interests and participation in school activities. Students should see advisors for criteria for participation and are encouraged to get involved.

### **Athletics – Interscholastic Sports**

All sports here are governed by the rules of the MIAA and MSAA in addition to local policies, which are left to the discretion of the school.

### **Middle School Student Participation in Athletics**

**Non-contact sports:** Seventh and eighth grade students will be allowed to participate on teams that are not considered to be contact sports: Cross-County running, Golf, Nordic skiing, and Track and Field. In some sports, specifically swimming, the coach may determine that a student is not physically ready to participate at the high school level.

**Semi-contact sports:** Seventh grade students will be allowed to participate in semi-contact sports (soccer, girls' lacrosse, baseball and softball) under the following conditions:

- No high school student will be displaced from a team to make room available to a 7<sup>th</sup> grade student.
- 7<sup>th</sup> grade students will only be allowed to participate at the Junior Varsity level.

### **School Dance Policy**

The following rules apply to all HVMS dances:

1. Students must be in school by the start of Per. 1 and remain in school until dismissal (see Tardy Policy).
2. Students will not be allowed in one-half hour after the dance begins unless they have prior approval of the administration.
3. Guests must be signed up in advance (see Student Social Events).
4. Students will have access to the courtyard, weather permitting and as long as the area is supervised. Backpacks will not be allowed into the dance. They must be kept in a designated area.
5. When a student leaves the dance, he or she will not be able to return.
6. No student who has failed to serve a detention or is in the process of serving a suspension, will be able to attend the dance.
7. Any student who is believed to be under the influence of alcohol or a controlled substance will be subject to a breathalyzer test and parental notification. (see Search and Seizure)
8. It is our hope that students will behave appropriately at all school dances. Any objectionable dancing or other activities deemed offensive by faculty or administration will result in dismissal from the event.

## **SCHOOL COUNSELING**

### **Mission Statement**

To provide a comprehensive and developmental school counseling program of service that promotes the academic, social/emotional, and career potential of all students. Through counseling, advocacy, advising, collaboration, leadership, and systematic change, counselors assist students to achieve personal excellence, to become life-long learners and to be responsible community members.

### **Services**

1. Fosters relationships with students that encourage the development of trust and open communication.
2. Utilizes the appropriate techniques to help students define their issues and concerns, develop strategies to resolve them, and assists in the implementation of these strategies.
3. Communicates and consults effectively with referral sources within the school and community on behalf of students.
4. Assists students in understanding the relationship between school and the world of work.
5. Assists students in career exploration using a variety of college and other post-secondary resource materials (printed, Internet, computer-generated and other).
6. Assists students in applying to college and understands the college application and financial aid process.
7. Write clear and concise letters of recommendation.
8. Explains academic requirements and scheduling procedures.
9. Participates in and/or coordinates school group counseling activities such as college fairs, financial aid seminars, SAT and other testing opportunities.
10. Develops educational proficiency plans (EPP).
11. Provides individual and group counseling.
12. Leads developmental school counseling programs and activities such as college and career readiness, stress management and study skills.
13. Uses research data to improve the effectiveness of the school counseling program.

School adjustment counselors (SAC) in both M.S. and H.S. are available to meet with students to discuss matters at any level of urgency. SAC offices are not located in the guidance suite and are instead located among the classrooms.



Students may contact the school adjustment counselors directly or through the school counseling secretary in the guidance suite.

### **School Counseling Passes**

1. Counselors are available before, during and after the school day for student appointments.
2. Other than emergencies, the counselor gives passes in advance. Students wishing to see their counselor may obtain a pass in the School Counseling Office prior to homeroom.
3. Students may contact the School Adjustment Counselor (SAC) directly or ask the school counseling secretary to make an appointment. If the student has an emergency and is with the SAC, the student will return to class with a pass.
  - a. High School SAC Office: located across from the C313 Mac lab

## **DIVERSITY, EQUITY, AND INCLUSION OF STUDENTS**

### **Equal Rights Statement**

The Hoosac Valley Regional School District wishes to make known to the residents of the district that no child shall be excluded from or discriminated against in admission to the public schools of the region or in obtaining the advantages, privileges, and courses of study of such public school on the basis of age, race, color, sex, religion, sexual orientation, national origin, or gender identity, nor do such factors affect the district's employment practices.

### **Title IX**

According to regulations promulgated under Title IX of the Education Amendments of 1972, sexual harassment is conduct on the basis of sex that meets one or more of the following:

- An employee of the District conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or
- Sexual Assault, domestic violence, dating violence, stalking as defined by federal laws.

### Title IX Grievance Procedures

#### Response to Sexual Harassment

A student or any individual wishing to report sexual harassment may inform the Title IX Coordinator or any other employee. Any Hoosac Valley Regional School District ("the District") employee with knowledge of an allegation of sexual harassment, must report it, whether they personally witness the sexual harassment, learn of it from a third party or the alleged victim directly.

Once the Title IX Coordinator learns of an allegation of sexual harassment, they will contact the alleged victim, or "the Complainant," to gather preliminary information, offer "Supportive Measures," and inform that person of the right to file a "Formal Complaint" against the alleged perpetrator, or "the Respondent," that initiates the Title IX "Grievance Process."

A “Formal Complaint” is a document filed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment and initiate the Grievance Process. Formal Complaints may be filed with the Title IX Coordinator in person, by mail, or electronic mail. To file a Formal Complaint, the alleged sexual harassment must have occurred in the school’s District educational programming or activity, and within the United States.

In some circumstances, the District will dismiss a Formal Complaint. For example, the District has discretion to dismiss a Formal Complaint where the passage of time results in an inability to gather sufficient evidence for a determination of responsibility or the District lost responsibility over the Respondent. The District must dismiss the Formal Complaint if it does not constitute sexual harassment as contemplated by Title IX regulations. However, the school may investigate the conduct as it pertains to other school policies.

“Supportive Measures” are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has filed. Such measures are designed to restore or preserve equal access to the District’s education and activities, including measures designed to protect the safety of all or the educational environment, or deter sexual harassment.

The District will maintain the confidentiality of any Supportive Measures to the extent possible and document the supportive measures offered by the Title IX Coordinator to the Complainant and Respondent. Examples of Supportive Measures include, but are not limited to the following: counseling, deadline extensions, course adjustments, work or schedule modifications, and increased security.

### Grievance Process

Once the Formal Complaint is filed, the “Grievance Process” commences. The District is committed to treating all parties equitably during the Grievance Process. The District is committed to completing the Grievance Process as soon as possible with the goal of completion within 60 days. However, if required, by good cause, such as the absence of a party, a party’s advisor, or a witness; law enforcement or DCF involvement; or the need for accommodations, the parties will be notified of the need for delay. The Respondent is presumed not responsible for the alleged conduct until a determination of responsibility has been made.

The District will provide the Complainant and Respondent with written notice of the allegations and the Grievance Process. This notice will include specific detail of the allegations against the Respondent. The parties will be informed at this time of their right to have an advisor of their choice, who may be, but is not required to be, an attorney, and may accompany them at any point during the process. They will also be informed of their right to inspect and review evidence. The District will remind the parties of the school’s prohibition against knowingly making false statements during this process. Supportive Measures are available to all parties during the Grievance Process.

The Title IX Grievance Process requires the involvement of several different employees that fulfill separate roles. As noted earlier, the Title IX Coordinator oversees Title IX compliance and the Grievance Process.

Additionally, each Formal Complaint will be assigned an “Investigator,” who could be a Principal, Vice-Principal, or other employee that is properly trained in investigations. Each Title IX investigation will be assigned a “Decision-Maker,” which similarly could be a Principal, Vice-Principal, or other employee that is properly trained. All appeals will be reviewed by someone who was not involved in the underlying Title IX investigation.

The District will ensure that Title IX coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process, receives training on the district’s Title IX policy and his or her respective role.

#### Informal Resolution of Sexual Harassment

If appropriate, the Title IX Coordinator will offer the parties the option of an informal resolution process, but, pursuant to Title IX, not until a Formal Complaint has been filed and the parties have been fully advised of their Title IX rights. Before beginning an informal resolution process, the District will obtain written consent from the Complainant and Respondent.

At any time, the parties can withdraw from the informal resolution and the Grievance Process will resume. Informal Resolution shall not be offered in the event the Respondent is a District employee.

#### Investigation of Sexual Harassment

A properly trained Investigator will complete an investigation into the Formal Complaint. Both, the Respondent and Complainant, will have an equal opportunity to offer witnesses and other evidence. Prior to any interviews with a witness, the District will provide the witness with notice of the date, time, location, participants, and sufficient time to prepare for that interview. Both parties will have an equal opportunity to examine and inspect evidence. Unless waived by one of the parties, the investigation will not intrude on any information that is legally privileged. Information about a person’s sexual predisposition or prior sexual behavior are not relevant, unless it is offered to prove that someone other than the Respondent committed the alleged act, or the information concerns specific incidents of sexual behavior between the parties and it is offered to prove consent. At the conclusion of the investigation, the Investigator will create an Investigative Report that summarizes the relevant evidence and send it to each party and the party’s advisor.

The parties will have at least 10 days before any hearing or determination of responsibility to review and respond to the report if they so choose. Time periods may be extended or delayed for good cause, including the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodations of disabilities.

The designated Decision-Maker will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow additional, limited follow-up questions. However, before presenting the question, the Decision-Maker will determine if it is

relevant. In the event that the Decision-Maker decides to exclude a question, he/she will provide a written decision explaining their reasoning.

### Hearings

Though it is not required, the District reserves the right to conduct a full-live hearing as part of the Grievance Process. At such a hearing, the Decision-Maker will permit each party's Advisor to ask the other party and any witnesses relevant questions. If a party does not have an advisor, the District will provide one at no cost. Upon the request of the Complainant or Respondent, the District will utilize technology to separate the parties during the hearing process. If a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not consider any statement of that party or witness in determining responsibility.

### Finding of Responsibility

Any Respondent found, by a preponderance of the evidence, to have committed Sexual Harassment shall be subject to a range of discipline, including, but not limited to: detention, exclusion of extracurricular activities, suspension, and expulsion, or in the case of an employee termination of employment.

The Decision-Maker will simultaneously issue a written determination of responsibility that includes a description of the allegations, the procedural steps of the grievance process, the findings of facts, the conclusions reached, and a statement and rationale of responsibility and related discipline. If applicable, it will also include remedies designed to restore or preserve equal access to education and activities at the District.

### Appeal

Both the Complainant and Respondent shall have the right to appeal the decision of the Grievance Process by notifying the Title IX coordinator in writing within 10 business days of receiving the decision. The grounds for appeal are limited to:

- procedural irregularity,
- new evidence that was not reasonably available at the time of the determination or dismissal, or
- an alleged conflict of interest.

Both parties shall have an opportunity to provide a written statement supporting their position on Appeal. The Appeal shall be reviewed by a person who is not the original Decision-Maker, Investigator, or Title IX Coordinator. That person shall issue a written decision and rationale simultaneously to the parties.

### Retaliation

The District strictly prohibits retaliation in any form against persons seeking protection under or participating in an investigation related to the district's Title IX policy. As such, the District will investigate any reports of retaliation and take separate disciplinary action against those found to have retaliated against someone.

If you have any questions or concerns regarding Title IX, please contact your building's Title IX Coordinator using the information found below:

Lisa Lesser, Principal  
Hoosac Valley Middle School

## **Nondiscrimination on the Basis of Gender Identity**

**Definitions-** Understanding the terminology associated with gender identity is important to providing a safe and supportive school environment for students whose rights are protected under the law. The following terms appear in this document and are defined to assist in understanding the guidance presented. Although these are the most commonly used terms, students may prefer other terms to describe their gender identity, appearance, or behavior. The term “gender identity” is specifically defined in the Mass. General Laws, as amended by *An Act Relative to Gender Identity* (the gender identity law).

**Gender expression:** the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

**Gender identity:** as defined in part at G.L. c. 4, § 7, is “a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth...”

**Gender nonconforming:** a term used to describe people whose gender expression differs from stereotypic expectations. The terms “gender variant” or “gender atypical” are also used.

**Transgender:** an umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

### Privacy, Confidentiality, and Student Records

Under state law, information about a student’s assigned birth sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity or any other information of similar nature, regardless of its form, is part of the individual’s student record (see Massachusetts Student Records Regulations, 603 CMR 23.00), is confidential, and must be kept private and secure, except in limited circumstances. 603 CMR § 23.04.8 One circumstance is when authorized school personnel require the information to provide administrative, teaching, counseling, or other services to the student in the performance of their official duties. For transgender students authorized school personnel could include individuals such as principal, school nurse, classroom teacher(s), or guidance or adjustment counselor.

When a student new to a school is using a chosen name, the birth name is considered private information and may be disclosed only with authorization under the Massachusetts Student Records Regulations. If the student has previously been known at school or in school records by his or her birth name, the principal should direct school personnel to use the student’s chosen name. Every effort should be made to update student records (for example, Individualized Education Programs) with the student’s chosen name and not circulate records with the student’s assigned birth name. Records with the student’s assigned birth name should be kept separate, in a confidential file.

When determining which, if any, staff or students should be informed that a student’s gender identity is different from the assigned birth sex, decisions should be made in consultation with the student, or in the case of a young student, the student’s parent or guardian. The key question is whether and how sharing the information will benefit the student.

### Gender Markers on Student Records

A gender marker is the designation on school and other records that indicates a student’s gender. For most students, records that include an indication of a student’s gender will reflect a student’s assigned birth sex. For transgender students, however, a documented gender marker (for example, “male” or “female” on a permanent record) should reflect the student’s gender identity, not the student’s assigned sex.

In addition, transgender students who transition after having completed high school, may ask their previous schools to amend school records or a diploma or transcript that include the student’s birth name and gender. When requested, and when satisfied with the gender identity information provided, schools should amend the student’s record, including reissuing a high school diploma or transcript, to reflect the student’s current name and gender.

### Names and Pronouns

Transgender students often choose to change the name assigned to them at birth to a name that is associated with their gender identity. School personnel should use the student’s chosen name and pronouns appropriate to a student’s gender identity, regardless of the students assigned birth sex.

### *Restrooms, Locker Rooms, and Changing Facilities*

The information below is taken directly from the Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment – a document published by the Massachusetts Department of Elementary and Secondary Public Education.

“All students are entitled to have access to restrooms, locker rooms and changing facilities that are sanitary, safe, and adequate, so they can comfortably and fully engage in their school program and activities. In meeting with the transgender student (and parent) to discuss the issues set forth in this memorandum, it is essential that the principal and student address the student’s access to the restrooms, locker room, and changing facility. Each situation needs to be reviewed and addressed based on the particular circumstances of the student and the school facilities. In all cases the principal should be clear with the student and parent that the student may access the restroom, locker room, and changing facility that corresponds to the student’s gender identity. While some transgender students will want that arrangement, others will not be comfortable with it. Transgender students who are uncomfortable using a sex-segregated restroom should be provided with a safe and adequate alternative such as a single unisex restroom or the nurse’s restroom. Similarly some transgender students may not be comfortable undressing in the changing facilities that correspond to the student’s gender identity. Some students may feel uncomfortable with a transgender student using the same sex-segregated restroom, locker room, or changing facility. This discomfort is not a reason to deny access to the transgender student. School administrators and counseling staff should work with students to address the discomfort and foster understanding of gender identity to create a school culture that respects and values all students.” There are multiple unisex bathrooms that can be used at Hoosac Valley.

### **Supports for Students with Disabilities**

Federal and state laws, including Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, and M.G.L. c. 71B, require schools to provide students with disabilities access to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

All students between the ages of three and twenty-one, who have not yet obtained a high school diploma or equivalent, are entitled to special education services and/or reasonable accommodations/auxiliary aides and services if he or she is determined to be eligible to receive such services and/or accommodations on the basis of a disability. Eligibility is determined through an evaluation and team meeting process. If after evaluation, the Team determines the student qualifies for special education services, the Team will develop and implement special education services through an Individualized Education Plan (IEP). In other circumstances, the Team may determine a student qualifies for 504 Plan accommodations and the Team will develop and implement a 504 Plan. Specific questions and concerns regarding special education including referral for evaluation, eligibility and services can be directed to the Office of Special Services at 413-743-2939. Additional information about parent and student rights regarding students with disabilities, including the Parent's Notice of Procedural Safeguards and Notification of Parent and Student Rights under Section 504 of the Rehabilitation Act of

1973 are also available upon request in the Office of Special Services. Specific questions and concerns regarding 504 accommodations can be directed to your child's building principal.

## **Disability Nondiscrimination**

The Hoosac Valley Regional School District is committed to the belief that people with disabilities have a right to equal access to participate in and benefit from school-related opportunities. Additionally, people with disabilities have a right to participate in the school community in an environment that is free from discrimination, harassment and retaliation on the basis of disability. Under federal and state law, no person shall be excluded from the participation in, or be denied the benefits of, or be subjected to discrimination/harassment/retaliation on the basis of disability. Specific questions, concerns and additional information about disability discrimination, including information about the complaint (grievance) process can be directed to the building principal or Director of Special Services. Additional information about parent and student rights, including the Parents Notice of Procedural Safeguards and Notification of Parent and Student Rights under Section 504 of the Rehabilitation Act of 1973, is also available upon request in the Office of Special Services.

References: Individuals with Disabilities Education Act; Massachusetts Special Education Law (M.G.L. c. 71B); Massachusetts Student Anti-Discrimination Act (M.G.L. c. 76, s 5), Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973.

## **Section 504**

Section 504 of the Rehabilitation Act of 1973 Section 504 of the Rehabilitation Act of 1973, commonly called "Section 504," is a federal law that protects students from discrimination/harassment based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activities.

You have the following rights:

1. To have your child with disabilities take part in, and receive benefits from public education programs without discrimination or retaliation because of his/her disability or engagement in a protected activity;
2. To receive a copy of this notice when the district takes any action regarding the identification, evaluation and placement of a student pursuant to Section 504;
3. To receive notice from the school with respect to the identification, evaluation, and educational program or placement of your child;
4. Right to inspect and review all of your child's educational records, including the right to obtain copies of education records at reasonable cost unless the cost would deny you access to the records, and the right to add to the record if you believe information contained in the record is inaccurate or misleading;
5. To receive all information in the parent's or guardian's native language or primary other mode of communication;

6. To have your child receive a free appropriate public education which includes the right of the child to be educated with students without disabilities to the maximum extent appropriate;
7. To receive accommodations and/or related aids and services without cost to allow your child an equal opportunity to participate in school activities;
8. To be educated in facilities and receive services that are comparable to those provided to students without disabilities;
9. To have your child have equal opportunity to participate in school programs and extracurricular activities sponsored by the school;
10. To refuse consent for any assessments proposed by the school district (the school district may seek substitute consent at an impartial hearing);
11. To have evaluation and placement decisions made by a group of knowledgeable persons (504 Team), including persons who know your child, can interpret evaluation information, and know the accommodations, related aids and service and placement options available;
12. To evaluations from a variety of sources by trained personnel prior to an initial Section 504 placement, any subsequent significant changes in placement, and periodic reevaluations;
13. To have 504 Team consider outside medical and/or independent evaluation information you provide to the 504 Team;
14. To a school district response to your reasonable requests for explanations/interpretations of your child's educational records;
15. Right to file a complaint of disability-based discrimination or harassment with the school district's Section 504 Coordinator, who will investigate the complaint.
16. Right to disagree with the Section 504 Team's decision with regard to his/her child's identification, evaluation, or educational placement may file a grievance with the school district's Section 504 Coordinator.
17. Right to disagree with the school district's decisions regarding your child's identification, evaluation, educational program, or placement under Section 504 and request mediation or an impartial due process hearing at the Massachusetts Bureau of Special Education Appeals (BSEA). You and your child have the right to take part in the hearing and be represented by counsel at your own expense. You also have the right to appeal the impartial hearing officer's decision. The BSEA is located at 14 Summer Street, 4th floor, Malden, MA 02148 and can be reached by phone (781-397-4750) or fax (781-397-4770). You can find more information about the mediation and impartial hearing process on the BSEA's website: <https://www.mass.gov/orgs/bureau-of-special-education-appeals>. If you disagree with the decision of the BSEA's impartial hearing officer, you have a right to review of that decision by a court of competent jurisdiction.
18. Right to file a complaint of discrimination with the United States Department of Education's Office for Civil Rights (OCR) or to file a complaint in federal court. The regional offices are located at 5 Post Office Square, 8th



Floor, Boston, MA 02109 and can be reached by phone (617-289-0111), fax (617-289-0150) and e-mail (OCR.Boston@ed.gov). You can find more information about how to file a complaint on OCR's website: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>.

Specific questions and concerns regarding Section 504 including referral for evaluation, eligibility and services can be directed to your child's building principal.

### **Physical Restraint and Behavior Support**

The Hoosac Valley Regional School District is committed to maintaining an orderly, safe and supportive environment conducive to learning for all students. The district implements a variety of behavioral supports and intervention strategies to safely support students and prevent the use of physical restraints whenever possible. The Commonwealth of Massachusetts Department of Elementary and Secondary Education (DESE) has issued specific regulations concerning prevention and use of physical restraint on students (603 CMR [46.00](#)). The Hoosac Valley Regional School District is committed to ensuring that the use of any physical restraint strictly adheres to these regulations. Physical restraint will be used with two goals in mind, and only after other less intrusive methods have been attempted and/or considered:

- to administer a physical restraint only when needed to protect a student and/or member of the school community from assault or imminent, serious harm; and
- to prevent or minimize any harm to the student as a result of the use of physical restraint.

Nothing in the physical restraint regulations precludes a teacher, district staff member, or other district contractors from using reasonable force to protect students, themselves, or other persons from assault or imminent, serious physical harm.

Physical restraint regulations do not prohibit any individual from reporting a crime committed by a student or other individual to local enforcement or other appropriate authorities. Law enforcement, judicial authorities and/or school security personnel are not prohibited by the physical restraint regulation from the exercise of their responsibilities, which may include the physical detainment of a student or other person alleged to have committed a crime or who poses a security risk.

An individual who is a mandated reporter pursuant to M.G.L. c. 119, § 51A is not constrained by the physical restraint regulations or the district's physical restraint policy from complying with the responsibility to report neglect or abuse to the appropriate state agency. Nothing contained herein shall relieve staff reporting requirements when a personal injury occurs within the scope of employment.

### Preparedness

In-Depth Training for Select Staff. The Principal or designee of each building within the district shall designate at least two (2) individuals at each building who have completed at least sixteen (16) hours of in-depth training in physical restraint and are authorized to serve as a building-wide resource to assist in ensuring proper administration of physical restraint. In the event of the need for physical restraint intervention, fully trained individuals should be called upon. The in-depth training must include:

1. Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
2. A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;

3. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
4. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
5. Demonstration by participants of proficiency in administering physical restraint; and,
6. Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

Training for All Staff. Each Principal or designee shall determine a time and method to provide all program staff with training regarding the district’s restraint prevention and behavior support policy and requirements when restraint is used. The designated in-depth trained building staff members shall assist the building Principal or designee in providing annual training to respective staff members regarding this policy. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

1. The role of the student, family, and staff in preventing restraint;
2. The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
3. Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
4. When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
5. Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
6. Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

Prevention of Physical Restraint

Hoosac Valley Regional School District uses a variety of behavioral support techniques and strategies as alternatives to physical restraint when a student’s (or group of students’) behavior requires immediate intervention. Additionally, the district implements a continuum of social-emotional and supports and services, including crisis planning, to foster social-emotional growth, self-regulation and prevent student violence, self-injurious behavior and suicide. These supports and interventions may include, but are not limited to:

Tier 1:

- Responsive Classroom
- Positive Behavioral Intervention and Support (PBIS)
- Trauma Sensitive School Training
- Soft Skills Rubric

Tier 2:

- Responsive Classroom
- Social Skills Groups
- Zones of Regulation
- Building Based Team (BBT)/Student Support Team (SST) Meetings

- Collaborative Problem Solving
- Restorative Practices (family engagement)
- Positive Reinforcement Systems
- Referral to Outside Services

Tier 3:

- Individual/Small Group Counseling
- Collaborative Problem Solving
- Restorative Practices (family engagement)
- Functional Behavior Assessment (FBA)
- Referral to Outside Services

The district will engage caregivers about restraint prevention and the use of restraint solely as an emergency procedure by:

1. making the district’s restraint prevention and behavioral support policy and procedures, including complaint procedures available to families;
2. discussing with families of students who have required and/or may require physical intervention methods of preventing student violence/self-harm, restraint prevention behavioral supports, alternatives to physical restraint, staff training and restraint use requirements, as well as behavioral support services available to student;
3. collaborate with parents/guardians and student’s community providers on use of effective de-escalation strategies and alternatives to restraint across settings; and,
4. refer families to community-based resources and support, as needed.

Any caregiver with concerns about the use of physical restraint at any school within the Hoosac Valley Regional School district may request a meeting with the building Principal or the Superintendent to discuss such concerns. Any individual who believes that a physical restraint may have been unwarranted or conducted inappropriately may also make use of the Grievance Procedure described below.

Use of Restraint

Hoosac Valley Regional School District’s use of physical restraint shall comply with 603 CMR 46.03. The definitions of forms of restraint shall be as defined in 603 CMR 46.02.

Mechanical and medication restraint are prohibited.

Physical restraint, including prone restraints where permitted, shall be considered by Hoosac Valley Regional School District an emergency procedure of last resort and can only be used when a student’s behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint is defined by regulation as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical escort is not considered a restraint. Physical escort is defined by regulation as a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Prone restraint is defined by regulation as a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the facedown position. Prone restraints are prohibited in the district, except on an individual student basis and only under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal and supervisor of ABA services.
6. The program has documented 603 CMR 46.03(1)(b)1-5 in advance of the use of prone restraint and maintains the documentation.

District staff shall not restrain students:

1. as a means of discipline or punishment;
2. when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
3. as a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
4. as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Limitations on use of restraint:

1. Physical restraint in the district shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
2. Physical restraint must end as soon as the student is no longer an imminent threat to the physical harm of self or others.
3. Only public education program personnel who have received training required for all staff, pursuant to 603 CMR 46.04(2) or the in-depth training required for select staff, pursuant to 603 CMR 46.04(3) shall administer physical restraint on students.
4. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint.
5. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.
6. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

Additional requirements for the use of physical restraint:

1. No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
2. Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
3. If a student is restrained for a period longer than 20 minutes, staff must contact the Principal and obtain the approval of the Principal prior to the restraint continuing beyond 20 minutes. The Principal's approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
4. Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
5. After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

#### Reporting and Review Requirements

Hoosac Valley Regional School District shall report and review the use of physical restraints as follows:

Informing the Principal or Designee. The staff member who administered the restraint shall verbally inform the Principal or designee of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the Principal or designee for review of the use of the restraint. If the Principal has administered the restraint, the Principal shall prepare the report and submit it to an individual or team designated by the Superintendent for review. The Principal or designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or DESE upon request.

Informing the Director of Special Services. The staff member who administered the restraint shall also verbally inform the Director of Special Services of the restraint as soon as possible, and submit a completed copy of the written report no later than the next school working day.

Informing Parents/Guardians. The Principal or designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report that must include all the elements described below sent either within three (3) school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The Principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

Written Report. The written report required by 603 CMR 46.06(2) and (3), maintained by school and provided to parent/guardian, must include:

- a. The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and, the name of the Principal or designee

who was verbally informed following the restraint; and, if applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).

b. A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.

c. A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

d. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

e. Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

Report all restraint-related injuries to DESE. When a physical restraint has resulted in an injury to a student or program staff member, the program shall report it to DESE as required by 603 CMR 46.06(4) no later than three school working days after the restraint. The program shall also send DESE a copy of the record of physical restraints maintained by the Principal or designee pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

Report all physical restraints to DESE. Every program shall collect and report data to DESE regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the DESE.

Individual student review. The Principal or designee shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the Principal or designee deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- a. review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- b. an analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- c. consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- d. agreement on a written plan of action by the program.

If the Principal or designee directly participated in the restraint, a duly qualified individual designated by the Superintendent or designee shall lead the review team's discussion. The Principal shall ensure that a record of each individual student review is maintained and made available for review by DESE or the parent, upon request.

Administrative review. The Principal or designee shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The Principal or designee shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.



Grievances. A parent/guardian, student and/or a Hoosac Valley Regional School District staff member may file a complaint about district restraint practices with the Director of Special Services via US or electronic mail. The Director of Special Services shall designate a school administrator to investigate the complaint by reviewing relevant records and/or interviewing relevant parties. The designated school administrator shall notify the complainant of the findings and if applicable, any corrective action steps.

### Use of Time-Out

Seclusion Prohibited. Hoosac Valley Regional School District prohibits seclusion. Seclusion (sometimes referred to as “seclusion restraint”) is defined by regulation as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

Time-Out. The district uses time-out as a behavioral support strategy. Time-out is defined by regulation as when a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out includes inclusionary time-out and exclusionary time-out.

Inclusionary Time-Out. When the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom. The use of inclusionary time-out functions well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom. Inclusionary time-out includes practices used by teachers as part of their classroom behavior support tools, such as "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom. These strategies, used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning, have proven to be useful tools for classroom management.

Exclusionary Time-Out. The separation of a student from the rest of the class either through complete visual separation (e.g. walled off rooms located within the classroom) or from actual physical separation from the classroom. The following applies to exclusionary time-outs:

- a. Should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.
- b. Should be reserved for use only when students are displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom.
- c. Must end when the student has calmed.
- d. Unless it poses a safety risk, a staff member must be physically present with the student. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, staff member must be immediately available outside where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room.
- e. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student.
- f. If it appears that the use of exclusionary time-out exacerbates the student's behavior, or the continuation of the exclusionary time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.
- g. For any exclusionary time-out that may last longer than 30 minutes, a staff member must contact and seek approval from the Principal for the continued use of time-out beyond 30 minutes. The Principal may not routinely approve such requests but

must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified.

### **Hazing Notice**

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term hazing as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding, any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. Chapter 269, Section 17, Added by St. 1985, c.536; amended by St. 1987, c.665.

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime, shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. Chapter 269, Section 18, Added by St. 1985, c.536; amended by St. 1987, c.665.

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issues copies of this section and section seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognitions or endorsement of said unaffiliated student groups, teams, or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team, or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team, or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full-time student enrolled by it to the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communication the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations. Governing the content and frequency of such reports, and



shall forthwith report to the attorney general any such institution, which fails to make such report. Chapter 269, Section 19.

### **ACADEMIC PROGRESS**

Any student who is serving an in-school suspension, short-term suspension, or long-term suspension will have the opportunity to make academic progress during the period of removal from the classroom or school.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, will have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan. The principal will notify the caregiver and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. The notice will include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

### **Discipline of Students with Disabilities**

1. All students are encouraged to meet the requirements for behavior as set forth in the Code of Conduct. Chapter 71B of the Mass. General Laws require that additional provisions be made for students who have been found by an IEP team to have a disability and whose program is described in an Individualized Educational Plan (IEP). Students with disabilities may be suspended for up to ten (10) days under current state and federal laws and may also be suspended in excess of ten (10) days as fully outlined under M.G.L., Ch. 71B, and the Individuals with Disabilities Education Act, the IDEA. The due process procedures, in addition, will reflect all state and federal laws as they come into effect.
2. The IDEA allows school personnel to remove a student with disabilities to an interim alternative educational setting for up to 45 school days, if that student has brought a weapon to school or a school function or on school grounds, possesses or uses illegal drugs (including prescription drugs which are not prescribed for the student) or sells or solicits the sale of a controlled substance or what the student says is a controlled substance, while at school or a school function or on school grounds, or inflicts serious bodily injury on a person, including themselves. The appropriate interim alternative educational setting shall be determined by the IEP Team.
3. The IDEA also allows school personnel the option of asking a hearing officer or a court to move the child with disabilities to an interim alternative educational setting for up to 45 days, if they are substantially likely to injure themselves or others in their current placement.
4. When a student with a disability(ies) has been suspended for more than ten (10) days in a school year, such that substantial change in placement is occurring or will occur, relevant members of the IEP Team will meet to conduct a manifestation determination.
5. The Principal (or designee) will notify the Director of Special Services of the offense leading to the pending suspension of a special needs student and a record will be kept of such notices.

### **Discipline of Students Not Yet Determined Eligible for Special Education**

The IDEA protections summarized above also apply to students who have not yet been found eligible for IEPs if the school district is deemed to have knowledge that the students were eligible for IEPs before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is “deemed to have knowledge” if:

- (1) the child’s parent had expressed concern in writing to district supervisory or administrative personnel or the child’s teacher that the child needs special education and related services;
- (2) the child’s parent had requested an evaluation of the child to determine eligibility for special education services; or
- (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district’s director of special education or to other supervisory personnel. However, a school district is not “deemed to have knowledge” if the district evaluated the student and determined that the child was not eligible for special education services or the child’s parent refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

The district may not be deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility.

### **Students Identified as Having a Disability And Provided With Section 504 Plans**

Students are expected to meet the expectations for behavior identified in the Code of Conduct. A student on a Section 504 plan may be disciplined like any non-eligible student. Students on 504 plans have substantially similar rights to a Manifestation Review and the Manifestation Determination Review Process with a few exceptions:

- i. Students who are currently engaging in the use/possession of illegal drugs or alcohol are not entitled to a MDR prior to disciplinary removal
- ii. A student is not automatically entitled to a Functional Behavior Assessment/Behavior Intervention Plan
- iii. The student is not entitled to Free and Appropriate Education (FAPE) during a removal

School personnel may not suspend a student on a 504 plan for more than ten consecutive school days without a manifestation determination.

## STUDENT RECORDS

### Student Records

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations together provide parents and eligible students (those who have reached that age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations by contacting their building principal.

The right to access the student's education records. Parents or eligible students should submit their request for access to the school principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H (Section 37H) law provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child.

The right to request amendment of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.

The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the school district and who need access to a record in order to fulfill their duties. Such school officials may also include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with regard to the use and maintenance of education records. The school district also discloses student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request from such school officials, so long as the disclosure is for purposes related to the student's enrollment or transfer.

In addition, the school district has a practice of releasing directory information without consent. Directory information consists of the following: the student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of athletic teams, class participation in recognized activities and sports, honors and awards, and post-high school plans. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the school principal. Absent receipt of a written objection within the first two school weeks of the school year or student's start date, the directory information will be released without further notice or consent.

As required by law, the school district routinely releases the name, address and telephone listing of secondary school students to military recruiters and to institutions of higher learning upon request. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the school principal. Absent receipt of a written objection for the parent or eligible student within the first two school weeks of the school year or student's start date, this information will be released without further notice or consent.

The right to file a complaint concerning alleged failures by the school district to comply with the regulations and laws governing student records. Complaints may be filed at the Massachusetts Department of elementary and Secondary

Education, 75 Pleasant Street Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SE, Washington DC.

### **Transferring Student Records**

Under section 37L or M.G.L. c71, any student transferring into a new school district must provide the new district with “a complete school record,” including but not limited to, “any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.”

603 CMR 23.07 (4) (g) allows a school district to release the entire student record of a transferring student to the new school without prior consent – provided that it gives notice that it forwards student records to other schools in which the student seeks or intends to transfer.

Consent is not required for the school district to forward a transferring students records to a new school. The district will forward student records once a request has been made by the student, parent/guardian, or transferring school.

### **Destruction of Student Records**

The school district will oversee the destruction of all temporary student records seven (7) years after those students have left the school system, due to transfer, graduation or withdrawal. Therefore, please collect the student’s temporary record within seven years of leaving the system. The student’s permanent record (transcript) is maintained by the school system for sixty (60) years. References: M.G.L. c. 71, s. 34D; 603 CMR 23.00.

### **Non-Custodial Parent**

As required by Massachusetts General Law chapter 71, Section 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Elementary and Secondary Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Department of Elementary and Secondary Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children (“non-custodial parents”).

As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- a. A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:
  1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
  2. The parent has been denied visitation, or
  3. The parent’s access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
  4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- b. The school shall place in the student’s record documents indicating that a non-custodial parent’s access to the student’s record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
- c. In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- d. Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with

access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

e. The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

f. Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. C. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

## **SNOW DAY NOTIFICATIONS**

When calling a snow day, we will always do the following.

1. Post on website and Facebook pages
2. Notify local radio stations (WNAW, WBRK)
3. Post on TV stations (WNYT, WTEN, WBRG)
4. Draft and send a Messenger phone call to families